

David J. Bradley, Clerk of Court

Motion For the Court of Appeals to Expedite and promptly  
Issue Appellants mandate

Comes now Appellant and files this motion and in support shows  
the Court the following:

1. On November 8, 2016 the 1st Court of Appeals issued an opinion  
over the denial of his free transcripts motion. The Court dismissed  
his appeal for want of jurisdiction. As the Court of Appeals in its  
plenary power ordered the trial court clerk to send him a copy  
of his transcripts as the fee had already been paid by the  
County and issue he has in this appeal is resolved and the appeal  
is ultimately moot. Appellant asserts he is not filing a pdr  
in this cause and the deadline for doing so has already passed.

2. Because the Harris County DA and the trial court erroneously  
certified this appeal ~~was~~ attacking his conviction it dismissed  
his filed Habeas Corpus concluding his conviction was not final.  
Currently, he is seeking not to be timebarred for a federal writ  
of Habeas Corpus and the delaying of his mandate is preventing  
him from tolling the 1 year AEDPA by properly filing a Habeas  
Corpus over his convictions.

3. Under Tex. R. App. 18.1(c) from this good cause he asks the Court  
of Appeals to expedite and promptly issue his mandate. Upon this  
issuance he will be able to file his writ of habeas corpus in the  
182nd District that is ready to be presented to the trial court.

Wherefore premises considered, Appellant prays the Court grant this  
motion as soon as practicable and issue the mandate in this cause.

Respectfully Submitted

Noe Artiga

Noe Armando Artiga #1984587  
Robertson Unit  
12071 F.M. 3522  
Abilene, TX 79601

Certificate of Service

I, Noe Artiga, Certify this motion has been sent this  
11th day of December 2016 to the Harris County DA's Office  
1201 Franklin, Suite 600 Houston, TX 77002 by prepaid first class  
mail.

Noe Artiga

Noe Armando Artiga

